



Docket No.: C15043/174944

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : )  
Harold M. Bates )  
Serial No.: 10/777,543 ) Examiner: C. Foster  
Filed: February 12, 2004 ) Art Unit: 1641  
For: DETECTION OF ASYMPTOMATIC )  
CORONARY ARTERY DISEASE )  
USING ATHEROGENIC PROTEINS )  
AND ACUTE PHASE REACTANTS )

New York, NY  
March 25, 2010

**FOURTEENTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant wishes to bring to the Examiner's attention the following documents:

**U.S. PATENT DOCUMENTS**

<u>Document No.</u>	<u>Date</u>	<u>Name</u>
6,309,888	10/30/01	Holvoet, et al.
6,727,102	4/27/04	Holvoet, et al.
7,166,469	1/23/07	Holvoet, et al.
7,229,775	6/12/07	Holvoet, et al.

03/29/2010 EEKUBAY1 00000049 10777543

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7,229,776	6/12/07	Holvoet, et al.
7,378,250	5/27/08	Holvoet, et al.
7,390,627	6/24/08	Holvoet, et al.
7,579,159	8/25/09	Holvoet, et al.
7,604,952	10/20/09	Holvoet, et al.
2005/181451	8/18/05	Bates

### **FOREIGN DOCUMENTS**

Communication Pursuant to Article 94(3) EPC, issued by the European Patent Office on September 12, 2009

Examiner's First Report issued by the Australian Government/Melbourne Patent Examination Centre on September 1, 2009

Notice of Reason for Refusal issued by the Japanese Patent Office on March 2, 2010, and English language report letter of Japanese agent dated March 8, 2010.

### **OTHER DOCUMENTS**

Marketing Brochure, "The Oxidized LDL Triple Marker Test: Taking Preventive Cardiology to a Higher Level", Shiel Medical Laboratory, 2009.

The U.S. Patent Documents listed above were previously listed in the Information Disclosure Statement ("IDS") dated November 8, 2007. In instances in which applications listed in the November 2007 IDS have since issued, the U.S. Patent number is provided here.

The Marketing Brochure presently listed under the "Other Documents" heading was previously listed in the August 7, 2009 IDS.

As requested by the Examiner in the Office Action mailed November 25, 2009 (Paper No. 20090611), the above-noted documents are also listed on Form PTO/SB/08 submitted herewith.

In addition, listed herein under "Foreign Documents" are Office Communications that issued in the European, Australian, and Japanese Patent Offices in the respective corresponding applications in those jurisdictions. All the documents cited in the European and Australian Communications have already been made of record in the present application. These foreign Office Communications are also listed on Form PTO/SB/08 submitted herewith.

Regarding the Japanese Notice of Reason for Refusal, we note that the English language report letter of the Japanese agent is included. We believe that the agent's letter is a sufficient English language document pointing out relevant aspects, but out of an abundance of caution, we have requested an English translation of the Notice of Reason for Refusal. We will submit the translation following our receipt of it.

This Fourteenth Supplemental Information Disclosure Statement is being filed in accordance with the provisions of 37 C.F.R. § 1.97(c)(2) before the mailing date of any final action, before a notice of allowance, or before an action that otherwise closes prosecution in the application, and it is accompanied by the fee set forth in 37 C.F.R. § 1.17(p). Enclosed is a check in the amount of \$180.00 to cover the fee. The Commissioner is authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 02-4467. A duplicate copy of this sheet is enclosed.

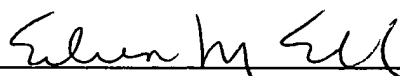
All documents cited in these reports are identified herein and copies of all documents, other than the U.S. patent documents, are provided. See MPEP § 609(III)(A)(2)(A) (8<sup>th</sup> Ed., Rev. 2, May 2004, p. 600-128); see also 1276 OG 55 (August 5, 2003) (Waiving the requirement under Rule 98(a)(2)(1) to provide a copy of each cited U.S. patent document for any application filed after June 30, 2003).

It is respectfully requested that the Examiner consider these documents. The Examiner is also requested to initial and return a copy of the accompanying form PTO/SB/08 to evidence such consideration.

This submission does not represent an admission that the listed documents constitute "prior art." If the Examiner applies the documents as references against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

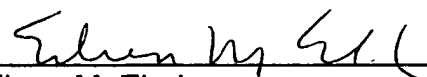
If the Examiner has any questions about the present paper, the Examiner is welcome to contact the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 25, 2010.



Eileen M. Ebel, Reg. No. 37,316

Respectfully submitted,

By: 

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